REMARKS

The applicants have carefully considered the official action dated September 26, 2005, and the references it cites. In the official action, claims 1-4, 6, 7, 15-17, 19-24, and 26-30 were rejected under 35 U.S.C. 102(b) as anticipated by Nakagawa (U.S. Patent No. 6,237,058 B1), and claims 8-10 and 12-14 were rejected under 35 U.S.C. 103(a) as unpatentable over Nakagawa in view of "what is well known in the art" as allegedly exemplified by Luo et al. (U.S. Patent No. 6,265,885 B1). Additionally, claims 2-7, 9-20, 22-27, 29, and 30 were objected to for various informalities, and claims 5, 11, 18, and 25 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

By way of this response, claims 2-7, 9-20, and 22-30 have been amended, and claims 31-34 have been added for consideration, leaving claims 1-34 pending in this application, of which claims 1, 5, 8, 11, 15, 18, 21, 25, and 28 are independent. No new matter has been added. In view of the foregoing amendments and the following remarks, the applicants respectfully traverse the rejections. Favorable reconsideration is respectfully requested.

Turning to the objections to the specification and the claims, the applicants have amended paragraphs 9 and 19 to correct minor typographical errors. Further, claims 2-4, 6, 7, 9, 10, 12-17, 19, 20, 22-24, 26, 27, 29, and 30 have been amended to address the objections to these claims as set forth on page 2 of the official action. Accordingly, the applicants respectfully request withdrawal of these objections.

Claims 5, 11, 18, and 25 have been rewritten in independent form and are now believed to be in condition for allowance. Specifically, each of these claims incorporates subject matter indicated as allowable in the official action.

Turning to the art rejections, the applicants respectfully submit that independent claims 1, 8, 15, and 21 are allowable over the art of record. Independent claims 1, 8, 15, and 21 are directed, respectively, to a method, machine readable medium storing instructions, apparatus, and system that, *inter alia*, generates an interrupt weighted average (IWA) for each of a plurality of processors. None of the cited references teaches or suggests generating an IWA for each of a plurality of processors, as recited in claims 1, 8, 15, and 21.

Nakagawa teaches an interrupt load distribution system that determines whether re-scheduling of interrupt load distribution is required by comparing processor activity ratios and the number of processes requesting a bind to corresponding predetermined criterion values (i.e., thresholds or limits) [Nakagawa, col. 6, line 62 through col. 7, line 11]. With the system taught by Nakagawa, rescheduling of interrupt load distribution occurs only if all of the processor activity ratios and number of processes requesting a bind exceed the predetermined criterion values [Nakagawa, col. 7, lines 12-65 and FIGS. 5 and 6]. Nakagawa is completely devoid of any teaching or suggestion that a weighted average, much less an interrupt weighted average as recited in claim 1, can or should be used to schedule interrupt load distribution.

The official action appears to contend that the interrupt load distribution schedule (FIG. 3) taught by Nakagawa constitutes a teaching of the IWA's recited in claim 1. On the contrary, there are no weighted averages of any kind discussed in connection with this load distribution table. Instead, the interrupt schedule information table taught by Nakagawa stores, for different interrupt levels and sources, predetermined processors to which interrupts are to be sent and process logic or rules to be followed when an interrupt request has been accepted [Nakagawa, col. 6, lines 40-46 and FIG. 3]. Thus, none of the information stored in

the interrupt schedule information table taught by Nakagawa can be fairly characterized as a weighted average, much less an interrupt weighted average as recited in claim 1. Accordingly, if the examiner wishes to maintain his contention that Nakagawa discloses an interrupt weighted average as recited in claim 1, the applicants respectfully request that specific evidence supporting this contention be provided in the next official action.

Accordingly, the applicants respectfully submit that, for at least the foregoing reasons, independent claim 1 and claims 2-4, 6, and 7 dependent thereon are in condition for allowance. The applicants respectfully submit that independent claims 15 and 21, and all claims dependent thereon are also in condition for allowance for at least the reasons set forth above in connection with claim 1.
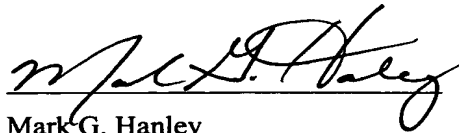
Turning to the rejection of independent claim 8, because neither Nakagawa nor Luo et al. teach or suggest an interrupt weighted average (IWA), much less a machine readable medium storing instructions, which when executed, cause a machine to generate an IWA, neither Nakagawa nor Luo et al., alone, or in combination, render independent claim 8 obvious. Accordingly, the rejection of independent claim 8, and claims 9, 10, and 12-14 dependent thereon, must be withdrawn for at least the foregoing reasons.

Independent claim 28 is also allowable over the art of record. Claim 28 recites, *inter alia*, applying a load balancing policy to the values for the plurality of interrupt load balancing parameters upon receipt of an interrupt request. None of the art of record teaches or suggests a method as recited in claim 28. While the official action appears to contend that Nakagawa teaches applying a load balancing policy to the values for the plurality of interrupt load balancing parameters at column 5, lines 30-33 and FIG. 6, the cited portions of Nakagawa do not support this contention. In fact, FIG. 6 of Nakagawa, which is described in

detail at column 7, lines 12-47, depicts a process that will merely enter a wait mode (without regard for activity ratio levels or the number of processes requesting a processor bind) unless all values acquired by a processor statistical information table exceed all criterion values [col. 7, lines 38-47 and FIGS. 5 and 6]. Thus, Nakagawa fails to describe a method that applies a load balancing policy to the values for a plurality of interrupt load balancing parameters in response to an interrupt request, as recited in independent claim 28. None of the other art of record overcomes the deficiencies of Nakagawa. Accordingly, the applicants respectfully submit that independent claim 28, and claims 29 and 30 dependent thereon, are also in condition for allowance.

In view of the foregoing, the applicants respectfully submit that this application is now in condition for allowance. If there are any remaining matters that the examiner would like to discuss, the examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,

Mark G. Hanley
Registration No. 44,736
Hanley, Flight & Zimmerman, LLC
(at customer number 34431)
20 North Wacker Drive
Suite 4220
Chicago, Illinois 60606
312.580.1020

Dated: **December 14, 2005**   **Attorneys for Intel Corporation**